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10/617,867	07/14/2003	Takashi Nitta	116226	3825

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/617,867	NITTA ET AL.	
	Examiner	Art Unit	
	Negussie Worku	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 July 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *See Attachment*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Office action is a replay to application filed on Claims 07/14/03, in which claims 1-28 are pending, and claims 1, 2, 27 and 28 are independent and claims 3-26 are dependent.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 72/14/03 has been reviewed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. The claimed invention lacks patentable utility. Claims 23-25, having a process completed program step, but lacks utility, wherein "a program for causing a computer to

execute the procedures" should replaced by "a computer-readable medium encoded with computer-executable instructions."

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> the specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

7. Claims 1-28 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. Evidence that claims 1, 2, 27 and 28, fail(s) to correspond in scope with that which applicant(s) regard as the invention. **In particular**, in claim 1, 2, 27 and 28, the claimed limitation as indicated in all independent claims, such as " *the image processing terminal, an image data input device, image capturing device, an access information acquisition device, an image processing data acquisition device; and image processing data memory device, and an image processing data supplying device, image processing data memory device, ...* " are not clearly distinguished or defined in the claims, in way one skilled in the art would have clearly understood the claimed invention in the scope with that applicant (s) regard as invention, and claimed elements are confusing, elements and inter-connection to each other is not consistent and therefore, claims are rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In addition, examiner has respectfully submits a rejection as best understood by examiner in view of cited prior art.

Therefore, claims 3-26 are also rejected as being dependent on rejected independent claim 2.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

8. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by parulski et al. (USP 7,121,229).

With respect to claim 1, Parulski et al. teaches an image processing system, (as shown in fig 2-4) comprising: an image capturing device (image senor 12 of fig 4, for capturing an image); an image processing data storage terminal (memory buffer DRAM 22 of fig 1, for storing data to be processor by image processor 18 of fig 4) to store image processing data necessary to carry out image processing (col.4, lines 13-20); and an image processing terminal (image processor 18 of fig 1, for processing image inputted by image reader 12 of fig 1) to carry out the image processing, the image processing system (10 of fig 1, col.3, lines 19-25) processing, with the image processing terminal, (processor 28 of fig 1) the image data captured by the image capturing device (image captured by image reader 12 of fig 4) based on the image processing data in the image processing data storage terminal (parameter 22 of fig 4);

the image processing data storage terminal (22 of fig 1) and the image processing terminal (processor 18 of fig 1) being communicatively connected to each other (as shown in fig 1, processor 18 and data storage terminal 22 of fig 1, are connected each other); the image capturing device (imager 12 of fig 2) including an image receiving device (removable memory 52 of fig 3, col.4, lines 40-45) to receive images as data and an access information associating device (processor 18, associate the image read and inputted by imager 12 of fig 1) to associate access information indicating an acquisition site of the image processing data with the image data received by the image receiving device (printer 30 of fig 4);

the image processing terminal (image processor 18 of fig 1) including an image data input device (A/D converter 316 of fig 4) to input the image data from the image capturing device, (image sensor 12 of fig 4) an image processing data acquisition device (image sensor 12 of fig 4) to acquire the image processing data from the image processing data storage terminal (22 of fig 1) based on the access information associated with the image data input by the image data input device, (user control 303 of fig 4) and an image data processing device processor 18 of fig 1) to process the image data input by the image data input device (image sensor 12 of fig 4) based on the image processing data acquired by the image processing data acquisition device (image processor 18 of fig 4); and the image processing data storage terminal (22 of fig 1) providing the image processing data in response to a request from the image processing terminal (image processor 18 of fig 4).

With respect to claim 2, Parulski et al. teaches an image processing system, (as shown in fig 2-4) comprising: an image capturing device (image senor 12 of fig 4, for capturing an image); an image processing data storage terminal (memory buffer DRAM 22 of fig 1, for storing data to be processor by image processor 18 of fig 4) to store image processing data necessary to carry out image processing (col.4, lines 13-20); and an image processing terminal (image processor 18 of fig 1, for processing image inputted by image reader 12 of fig 1) to carry out the image processing, the image processing system (10 of fig 1, col.3, lines 19-25) processing, with the image processing terminal, (processor 28 of fig 1) the image data captured by the image capturing device (image captured by image reader 12 of fig 4) based on the image processing data in the image processing data storage terminal (parameter 22 of fig 4);

the image processing data storage terminal (22 of fig 1) and the image processing terminal (processor 18 of fig 1) being communicatively connected to each other (as shown in fig 1, processor 18 and data storage terminal 22 of fig 1, are connected each other); the image capturing device (imager 12 of fig 2) including an image receiving device (removable memory 52 of fig 3, col.4, lines 40-45) to receive images as data and an access information associating device (processor 18, associate the image read and inputted by imager 12 of fig 1) to associate access information indicating an acquisition site of the image processing data with the image data received by the image receiving device (printer 30 of fig 4);

the image processing terminal (image processor 18 of fig 1) including an image data input device (A/D converter 316 of fig 4) to input the image data from the image

capturing device, (image sensor 12 of fig 4) an image processing data acquisition device (image sensor 12 of fig 4) to acquire the image processing data from the image processing data storage terminal (22 of fig 1) based on the access information associated with the image data input by the image data input device, (user control 303 of fig 4) and an image data processing device processor 18 of fig 1) to process the image data input by the image data input device (image sensor 12 of fig 4) based on the image processing data acquired by the image processing data acquisition device (image processor 18 of fig 4); and the image processing data storage terminal (22 of fig 1) providing the image processing data in response to a request from the image processing terminal (image processor 18 of fig 4).

With respect to claim 3, Parulski et al. teaches an image processing system, (as shown in fig 2-4), further comprising a plurality of the image processing data storage terminals, (various data storage memory such as DRAM buffer memory 318, volatile memory 14 shown in fig 1 and 4) the image processing data acquisition device (LCD image display 332 of fig 4, which display captured image for review col.5, lines 55-59) accessing the image processing data storage terminal 318 and 14 of fig 4) specified by the access information acquired by the access information acquisition device, (332 of fig 4) among the plurality of image processing data storage terminals, (processor 18 of fig 4, uses memory 318 and 14) and acquiring the image processing data from the image processing data storage terminal (printer 30 of fig 4, acquiring image data to be printed from memory 318 and 14 of fig 4).

With respect to claim 4, Parulski et al. teaches an image processing system, (as shown in fig 2-4), the image processing data being image correcting data representing correcting values to carry out a calculation on the image data in order to correct an image constructed on the basis of the image data (as shown in fig 5, the image processing operation, such as color transformation, tone correction etc., are performed by image processor 18 of fig 4, col.6, lines 10-55).

With respect to claim 5, Parulski et al. teaches an image processing system, (as shown in fig 2-4), the image processing data being an image processing module (processor 18 of fig 4) representing program data which corrects an image constructed on the basis of the image data (as shown in fig 5, step of correction and processing of the image, is performed mainly by a program that is constructed store in the image processing).

With respect to claim 6, Parulski et al. teaches an image processing system, (as shown in fig 2-4), the access information associating device adding the access information in the access information memory device (DRAM buffer memory 318 of fig 4) to the image data received by the image receiving device (processor 18 receives data from image senor 12 of fig 4).

With respect to claim 7, Parulski et al. teaches an image processing system, (as shown in fig 2-4), the access information associating device (image processor 18 of fig 4, access information) generating files in a separate manner from the image data received by the image receiving device and the access information in the access information memory device, (buffer DRAM memory 318 of fig 4) and adding reference information to one of the image data files storing the image data (the generated image file is stored in image storage 318 of fig 1) and the access information file storing the access information, the reference information having the other thereof as a reference site (image stored in the image storage memory 318, according file created by processor 18 of fig 4).

With respect to claim 8, Parulski et al. teaches an image processing system, (as shown in fig 4), the access information associating device encrypting the access information in the access information memory device, (in memory card 330 of fig 4, a compressed image file are stored with image file) and superposing the encrypted access information on the image data received by the image receiving device (host computer (not shown) in order to transfer image, col.7, lines 10-15).

With respect to claim 9, Parulski et al. teaches an image processing system, (as shown in fig 2-4), the image capturing device (image sensor 12 of fig 4, for capturing image, for further processing) further comprising a capturing information generating device (image processor 18, process image captured by image capture device 12 of fig

4) generate image to generate capturing information representing capturing modes or a capturing environment of the image over the image data received by the image receiving device, (printer for receiving image data processed and corrected image for final outputting) and a capturing information associating device to associate the capturing information generated by the capturing information generating device process with the image data received by the image receiving device (image processor 18, process image captured by image capture device 12 of fig 4, and generate the processed data, which is a data that a correction has performed).

With respect to claim 10, Parulski et al. teaches an image processing system, (as shown in fig 2-4), the access information memory device (memory 318 of fig 4) storing the access information for each of the capturing modes of the image when a plurality of capturing modes are defined (various image captured by image sensor 12 of fig 4) and the access information associating device (image processor associates, and access information) reading out the access information corresponding to the plurality of capturing modes, which are all different, from the access information memory device, (information stored in memory 318 of fig 4) and associating a plurality of pieces of read access information with the image data (accessed information from processor 18, associated with image read with image sensor 13 of fig 2).

With respect to claim 11, Parulski et al. teaches an image processing system, (as shown in fig 2-4), the image processing terminal (processing terminal 18 of fig 4) further

comprising a capturing mode designating device to designate the capturing mode, (user controller 303, such as user's buttons as shown in fig 4) and the access information acquisition device acquiring the access information corresponding to the capturing mode designated by the capturing mode designating device (LCD display 332 of fig 4 a captured image for preview) among the plurality of pieces of access information associated with the image data input by the image data input device (col.5, lines 55-60).

With respect to claim 12, Parulski et al. teaches an image processing system, (as shown in fig 2-4), the access information memory device (memory 318 of fig 4) storing the access information for each of the output devices (processor 18 of fig 4, for accessing memory 318, for printer 30 of fig 4, for outputting data to be printed out) when a plurality of output devices to output the image constructed on the basis of the image data are defined (memory 324, 330, 328 of fig 4, including printer 30 are various output devices, for storing and print out purpose); and the access information associating device reading out the access information associated with a plurality of different output devices from the access information memory device, (318 of fig 4) and associating the plurality of pieces of read access information with the image data.

With respect to claim 13, Parulski et al. teaches an image processing system, (as shown in fig 2-4), the image processing terminal (image processing terminal 18 of fig 4) further comprising an output device (printer 30 of fig 4) designating device to designate the output device, (processor 18 of fig 4, controls the overall operation

including print out process), and the access information acquisition device (user control 303 of fig 4) acquiring the access information associated with the output device (printer 30 of fig 4) designated by the output device (printer 30 of fig 4) designating device among the plurality of pieces of access information associated with the image data input by the image data input device (scanner 10 of fig 4, associates with plurality of out put device, such as processor 18, memory 328, 324 and printer 30 of fig 4).

With respect to claim 14, Parulski et al. teaches an image processing system, (as shown in fig 2-4), the access information being a URL (Uniform Resource Locator), (user control 303 can be an equivalent to URL, for accessing information from storage device).

With respect to claim 15, Parulski et al. teaches an image processing system, (as shown in fig 2-4), the image receiving device receiving the image as RAW data, (processor 18 of fig 4, receives data from image sensor 12 of fig 4, as a RAW data fro further processing)

With respect to claim 16, Parulski et al. teaches an image processing system, (as shown in fig 2-4), the image capturing device (scanner 10 of fig 4) further comprising an image data compressing device (550 of fig 6) to compress the RAW data received by the image receiving device (18 of fig 4)using a predetermined compressing scheme, (col.7, lines 5-10) and the access information associating device associating the access

information in the access information memory device (318 of fig 4) with the compressed image data compressed by the image data compressing device (col.7, lines 5-10)

With respect to claim 17, Parulski et al. teaches an image processing system, (as shown in fig 2-4), the image processing data memory device (memory 318 of fig 4) storing the compressed image processing data into which the image processing data is compressed using a predetermined compressing scheme, (col.7, lines 5-10) the image processing terminal (18 of fig 4) further comprising an image processing data restoring device (processor for restoring data, col.4, lines 15-30) to restore the compressed image processing data acquired by the image processing data acquisition device (12 of fig 4) using a restoring scheme corresponding to the compressing scheme, (col.7, lines 5-10) and the image data processing device (18 of fig 1) processing the image data input by the image data input device (10 of fig 4) based on the image processing data restored by the image processing data restoring device (processor 18, fro restoring image bases on the processed and correction, col.4, lines 20-25).

With respect to claim 18, Parulski et al. teaches an image processing system, (as shown in fig 2-4), the image data processing device (18 of fig 4) generating CMYK data from the image data input by the image data input device (image scanner 10 of fig 1).

With respect to claim 19, Parulski et al. teaches an image processing system, (as shown in fig 2-4), the image processing terminal (18 of fig 1) being a printer to carry out printing based on the image data processed by the image data processing device (printer to carry out printing image processed by image processing device 18 of fig 4).

With respect to claim 20, Parulski et al. teaches an image processing system, (as shown in fig 2-4), comprising: an image receiving device (image processor 18 of fig 4) to receive images as data (processor 18 receive data for further processing); an access information memory device (318 of fig 1) to store access information indicating an acquisition site of the image processing data (processor 18 of fig 1, for processing image); and an access information associating device to associate the access information in the access information memory device with the image data received by the image receiving device (printer receives processed image by processor 18 for printing).

With respect to claim 21, Parulski et al. teaches an image processing system, (as shown in fig 2-4), comprising: an image data input device (scanner 10 of fig 1) to input the image data from the image capturing device (image capture 12 of fig 4); an access information acquisition device to acquire access information associated with the image data input by the image data input device (sensor 12 of fig 1, as input device for inputting image data into the image processor 18 of fig 1); an image processing data acquisition device (host computer of fig 4) to acquire the image processing data from

the image processing data storage terminal based on the access information acquired by the access information acquisition device ; and an image data processing device (18 of fig 4) to process the image data input by the image data input device (sensor 12 of fig 4) based on the image processing data acquired by the image processing data acquisition device (image scanner 10 of fig 1).

With respect to claim 22, Parulski et al. teaches an image processing system, (as shown in fig 2-4), comprising: an image processing data memory device (memory 318 of fig 4) to store the image processing data (318 of fig 4,stores image processing data); and an image processing data supplying device (image scanner 12 of fig 2) to supply an image processing data corresponding to a request from the image processing terminal among the image processing data in the image processing data memory device to the image processing terminal (image processing terminal 18 of fig 2).

With respect to claim 23, Parulski et al. teaches a program (program stored in memory 16 of fig 1) for a device, for execution in the image capturing device (10 of fig 1) an image processing system, (image processing 18 of fig 4) comprising: a program for executing a process implemented by the access information associating device to associate the access information in the access information memory device (318 of fig 4) with the image data received by the image receiving device (printer 30 of fig 2).

With respect to claim 24, Parulski et al. teaches a program for a terminal, (fig 1)

for execution in the image processing terminal, (18 of fig 4) comprising: a program for executing process implemented by the image data input device to input the image data from the image capturing device, (a program memory 14 of fig 1, for storing various image processing algorithms to execute by image processor10 of fig 1, col. lines 25-30), the access information acquisition device (image processor 18 of fig 1) to acquire the access information associated with the image data input by the image data input device, (scanner 10 of fig 1) the image processing data acquisition device to acquire the image processing data from the image processing data storage terminal based on the access information acquired by the access information acquisition device, and the image data processing device (processor 18 of fig 1) to process the image data input by the image data input device based on the image processing data acquired by the image processing data acquisition device, (a program memory 14 of fig 1, for storing various image processing algorithms to execute by image processor10 of fig 1, col. lines 25-30).

With respect to claim 25, Parulski et al. teaches a program for a terminal, for execution in the image processing data storage terminal, (memory 312 of fig 4, is a storage terminal) comprising: a program for executing a process implemented by the image processing data supplying device to supply an image processing data corresponding to a request from the image processing terminal among the image processing data in the image processing data memory device to the image processing terminal (a program memory 14 of fig 1, for storing various image processing algorithms

to execute by image processor10 of fig 1, col. lines 25-30).

With respect to claim 26, Parulski et al. teaches a data structure of image data in the image processing system (10 of fig 4) comprising: an acquisition site of the image processing data, (image captured by image sensor 12, processed in processor 18 of fig 4) the image data and the access information indicating the acquisition site of the image processing data, the access information being added to the image data (accessed in formation from memory 318, is added in the image read by image processing for further image processing).

With respect to claim 27, Parulski et al. teaches an image processing method, (as shown in fig 2-4), of communicatively connecting to each other an image processing data storage terminal (22 of fig 1) to store image processing data necessary to carry out image processing (image read by image reader 12 of fig 1) and an image processing terminal (image processor 18 of fig 1) to carry out the image processing based on the image processing data, (image processing data stored in memory 22 of fig 1) and of processing the image data captured by the image capturing device (image reading device 12 of fig 4) using the image processing data storage terminal, (22 of fig 4) the image processing terminal (image processor 18 of fig 21) and the image capturing device, (image scanner 12 of fig 1) the method comprising:

in the image capturing device (image sensor 12 of fig 5), receiving an image as data (image data read by image sensor 12 of fig 4); and associating access information

in an access information memory device (22 of fig 1) accessing to store access information indicating an acquisition site of the image processing data with the image data received in the image receiving in the image processing terminal (image processor 18 of fig 1): inputting the image data from the image capturing device (image captured by images sensor 12 of fig 4, and inputted by image reader 12 into image processor 18 for further processing); acquiring the access information associated with the image data input in the image data inputting and acquiring the image processing data from the image processing data storage terminal (memory 22 of fig 1) based on the access information acquired in the access information acquiring (image in formation processed in processor 18 of fig 1, is based image processing data acquired from image data processing storage 22 of fig 1); in the image processing data storage terminal (22 of fig 1), supplying, in response to a request from the image processing terminal, (processor 22 of fig 1) image processing data among image processing data in an image processing data memory device (22 of fig 2) to store the image processing data to the image processing terminal (18 of fig 1); and in the image processing terminal (18 of fig 1) processing image data input in the image data inputting based on the image processing data acquired in the image processing data acquiring (memory device 22 of fig 1, for acquiring data to a processor 18, for processing image).

With respect to claim 28, Parulski et al. teaches a method of generating image data, (fig 1-4) comprising: receiving an image as data (image processor 18, receives data from image reader 12 of fig 1); and associating access information in an access

information memory device to store access information indicating an acquisition site of image processing data with the image data received in the image receiving (in order to process image data read by image sensor 12, an image processing data being acquired from memory 22 of fig 1, for further processing, as discussed col.4, lines 15-25).

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 571-272-7472. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on 571-272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Negussie Worku
8/31/07

AUNG S. MOE
SUPERVISORY PATENT EXAMINER
9/13/07